

Minutes of the regular meeting of the Big Plains Water and Sewer Special Service District, Washington County, Utah that was held on the 5th day of November, 2014 at the Smithsonian Fire Department Building, 1777 N. Meadowlark Dr., Apple Valley, Utah.

1. The meeting was called to order at 6:02 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Jack Davis, Neil Duncan, Mayor Moser, and Harold Merritt were present. Kevin Sair was excused. Rod Mills of Ensign Engineering was present. Nathan Bronemann was present taking minutes. Gary Kuhlmann, Legal Counsel, arrived late.
4. Declarations of conflict of interests
None stated.
5. Report on Cedar Point well maintenance progress – Ensign Engineering

Rod Mills reported that bid documents had been issued to potential well contractors. He said he would report the results with a recommendation at the next SSD board meeting.
6. Discussion and possible action on how to respond to past Cedar Point water agreements – Gary Kuhlmann

Gary Kuhlmann had not yet arrived.

Motion made by Mayor Moser to come back to this item after Mr. Kuhlmann arrived. Neil Duncan seconded the motion. Vote: Jack Davis-yes, Neil Duncan-yes, Mayor Moser-yes, Harold Merritt-yes. The motion passed 4/0.

7. Discussion and possible action on providing water service to Little Creek Station

Rod Mills said there was a party that was looking at buying the station. He said both, the current and potential future owners were interested in hooking into the culinary water system. He said there would be some negotiation that would have to take place to be able to offer that service.

Gary Kuhlmann arrived at 6:11 pm.

Harold Merritt asked if the group still wanted to start a bottled water business.

Rod Mills said bottled water was not currently in the agreement as Mr. Kuhlmann had advised.

The board returned to discussion on item #6.

Gary Kuhlmann said several agreements have shown up where Cedar Point Water Company had committed to future services. He said that in the original purchase agreement the SSD was not obligated to honor those agreements. He said the SSD had agreed to take on agreements where facilities were there to honor them.

Harold Merritt said he had a discussion with a new owner of the parcel with the water tank. Mr. Merritt said he didn't feel that the SSD was obligated to honor their agreement with Cedar Point Water Company.

The board clarified and agreed that they had no obligation to honor that agreement, but they could do so with the exception of the promised water usage rates in exchange for clarifying easements to access the tank.

Gary Kuhlmann recommended that it be resolved between himself and the attorney representing these new owners.

Mayor Moser asked if there was any reason to think the SSD did not currently own the 100,000 gallon tank on that property.

Gary Kuhlmann said that it was owned by Cedar Point Water Company and had therefore been purchased at the time of the original purchase, so it now belonged to the SSD.

8. Construction and Acquisitions – Harold Merritt

Rod Mills reported that the construction was moving along as planned.

Dale Harris said the new lines should be running water early next week.

9. Funding – Kevin Sair

Nothing to report.

10. Operations – Neil Duncan

Dale Harris reported that the Apple Valley well number one motor had died on Sunday, that it had been replaced and it was now back up and running.

Neil Duncan said he appreciated what Dale Harris had been doing.

11. Resource Management – Mayor Moser

Mayor Moser said they had \$200,000 remaining from the state funds that would be spent on rehabbing the two Apple Valley well houses as well as the wells in Cedar Point.

12. Development – Jack Davis

Nothing to report.

13. Review of Policies and Procedures

a. Discussion and possible action on policies and procedures updates

Rod Mills reported that he and Nathan Bronemann had addressed the suggested changes that were discussed in previous meetings. He said the will-serve letter policy was already imbedding the SSD procedures. He read the proposed changes to the Policies and Procedures document.

Motion made by Mayor Moser to accept the changes as discussed. Jack Davis seconded the motion. Vote: Jack Davis-yes, Neil Duncan-yes, Mayor Moser-yes, Harold Merritt-yes. The motion passed 4/0.

14. Sewer

Rod Mills reported that he planned to have a discussion with the Southwest Utah Public Health Department regarding jurisdictions and that the SSD can exercise authority within its boundaries.

15. Consent Calendar - Income and Expenses

Motion made by Neil Duncan to accept the consent calendar as presented. Mayor Moser seconded the motion. Vote: Jack Davis-yes, Neil Duncan-yes, Mayor Moser-yes, Harold Merritt-yes. The motion passed 4/0.

16. Consider approval of minutes:

a. October 15, 2014 Regular Meeting Minutes

Motion made by Mayor Moser to approve the October 15, 2014 regular meeting minutes. Neil Duncan seconded the motion. Vote: Jack Davis-yes, Neil Duncan-yes, Mayor Moser-yes, Harold Merritt-yes. The motion passed 4/0.

17. Request for a closed session

None requested.

18. Adjournment

Motion made by Mayor Moser to adjourn the meeting. Neil Duncan seconded the motion. Vote: Jack Davis-yes, Neil Duncan-yes, Mayor Moser-yes, Harold Merritt-yes. The motion passed 4/0.

Meeting adjourned at approximately 7:02 PM.

Date approved: _____

ATTEST BY: _____
Nathan Bronemann

Chairman Harold Merritt